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10/529,045	03/24/2005	Celestin Sedogbo	4590-387	6233
33308 7590 07/16/2010 LOWE HAUPTMAN HAM & BERNER, LLP 1700 DIAGONAL ROAD, SUITE 300 ALEXANDRIA, VA 22314				
EXAMINER				
SEYE, ABDOU K				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/529,045

Applicant(s)

SEDOGBO ET AL.

Examiner

Abdou Karim Seye

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3-6 and 8-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-6 and 8-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB06)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1, 3-6 and 8-13 are pending in this application.

Claim Objection

2. Claims 3 and 8 are objected to under 37 CFR 1.75 as being a substantial duplicate of claims 1 and 4, respectively. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim 3 include a method step "wherein interaction services implemented by the person-system interaction container use one at least of the following knowledge bases: a domain of application, an application, user or users, a task, modes of perception and of action offered by the terminal". Claim 1, upon which claim 3 depends, already includes this limitation. Thus, claim 3 is a substantial duplicate of claim 1. Likewise, Claim 8 is a substantial duplicate of claim 4.

3. Claims 5, 6, 12 and 13 are objected to because of the following informalities:

Claim 5, the following terms lack of antecedent basis: "the modes", line 6 and 7; "the exchanges", 7; "the users", lines 7-8; "the representations", line 5.

Claim 6, the following terms lack of antecedent basis: "the actions".Appropriate correction is required.

Dependent claims 12 and 13 are affected by the objection of claim 5 above.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefore, subject to the conditions and requirements of this title.

5. Claims 5-6 and 12-13 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 5-6 and 12-13 are rejected under USC 101 for being non statutory because the claimed "device"/"system" appears to be comprised of software alone without claiming associated computer hardware required for execution. For example, claim 5 recited the single container device which is software module/function. Software alone is directed to a non-statutory subject matter.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 3-6 and 8-13 are rejected under 35 U.S.C. 103 (a) as unpatentable over De Angelo (US 7010536) in view of SematicEdge, GmbH (WO 02073331).

8. As to claim 1, De Angelo teaches the invention substantially as claimed including a method for user-system interaction independent of an application and of interaction media (abstract; col. 7, lines 24-30; "dynamic interaction"; "media"), the user-system having at least one computing layer supporting at least one representation of a terminal and at least one representation of the application (FIG. 2B; "personal Computer (Site 1)"; wherein the personal computer is the terminal; "Server (Site 5)"; wherein the server includes the application), and having at least one user interface itself supporting a piece of software (col. 7, lines 45-50; "user interface"), comprising the steps of:

creating a single container in a four-tier architecture for interaction representations (FIG. 2B; col. 10, lines 66-67; wherein the "Site1"/single workstation coupled with the container/ single container include the single container created; FIG. 2B and col. 1,

lines 10-20; wherein the "client server network" coupled with the client; the internet; a database/ fourth tier database is well known in the art to include a four-tier architecture for user interaction with the fourth tier database), the single container managing the interaction between the a determined user class and a computer system (col. 1, lines 10-15; wherein the multi-user mainframe or minicomputer system include the user class and computer system) and storing at least one of the following representations of interaction context: representation of terminals that can be used by users of the user-system, representations of modes of action, representation of modes of perception of exchanges of information by the users, representation of activity of the users, representation of context, representation of services expected (FIG. 2B1; wherein the workstation site 1 coupled with the gateway storage include storing information in the single container ; abstract; col. 3, lines 25-46; wherein the container include interaction rules/information of the user). But De Angelo does not explicitly teach creating a person-system interaction container (PSIC) for interaction by using the representations to construct, adapt and manipulate knowledge bases constituting a structured representation of a context of use of the user-system, and establishing with aid of this structured representation, a dialog between users and the services of the application wherein all user system communications between the user interface and functions of the application are managed by the person-system interaction container, and wherein interaction services implemented by the person-system interaction container use one at least of the following knowledge bases: a domain of application, an application, a user or users, a task, and modes of perception and of action offered by the terminal.

However SematicEdge, GmbH teaches creating a person-system interaction container (PSIC) for interaction by using representations to construct, adapt and manipulate knowledge bases constituting a structured representation of a context of use of the user-system (page 7, lines 36-48; "personalized system"), and establishing with aid of this structured representation, a dialog between users and the services of the application wherein all communications between the user interface and functions of the application are managed by the person-system interaction container (120, FIG. 1; page 9, lines 21-53; wherein the "dialog manager" establishes the dialog), and wherein interaction services implemented by the person-system interaction container use one at least of the following knowledge bases: a domain of application, an application, a user or users, a task, and modes of perception and of action offered by the terminal (page 8, lines 50-54; "domain/application"). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify De Angelo's invention with SematicEdge, GmbH's as shown above to creating a person-system interaction container (PSIC) for interaction by using the representations to construct, adapt and manipulate knowledge bases constituting a structured representation of a context of use of the user-system, and establishing with aid of this structured representation, a dialog between users and the services of the application wherein all communications between the user interface and functions of the application are managed by the person-system interaction container, and wherein interaction services implemented by the person-system interaction container use one at least of the following knowledge bases: a domain of application, an application, a user or users, a task, and modes of

perception and of action offered by the terminal.. One would have been motivated to creating a person-system interaction container (PSIC) for interaction by using the representations to construct, adapt and manipulate knowledge bases constituting a structured representation of a context of use of the user-system, and establishing with aid of this structured representation, a dialog between users and the services of the application wherein all communications between the user interface and functions of the application are managed by the person-system interaction container, and wherein interaction services implemented by the person-system interaction container use one at least of the following knowledge bases: a domain of application, an application, a user or users, a task, and modes of perception and of action offered by the terminal, because it would increase the efficiency of the De Angelo's system by providing an information gathering phase, before a user can talk directly with a human call center operator, especially when all the lines are busy.

9. As to claim 3, it is rejected for the same reasons as claim 1 above.

10. As to claim 4, wherein the PSIC updates and uses a log of a dialog between user and the user-system (600,FIG. 5; wherein the dialogue archive include the log of the dialog).

11. As to claim 5, it is rejected for the same reasons as claim 1 above.

12. As to claim 6, SematicEdge, GmbH teaches a subset for analyzing events represented by the actions of users on interfaces, a subset for taking account actions of users and for managing interaction, a subset for communicating with the applications server, a subset of filters, an adapter and mode selector subset and a subset of converters for usage interfaces (505, FIG. 5; "NLP Analyser"; (545, FIG. 5; "Normalized dialog"/action/interaction; page 28, lines 25-52; "filter"). One would have been motivated to have wherein the container device comprises a subset for analyzing events represented by the actions of users on interfaces, a subset for taking account actions of users and for managing interaction, a subset for communicating with the applications server, a subset of filters, an adapter and mode selector subset and a subset of converters for usage interfaces, because it would increase the efficiency of the De Angelo's system by providing an information gathering phase, before a user can talk directly with a human call center operator, especially when all the lines are busy.

13. As to claim 8, SematicEdge, GmbH teaches wherein the PSIC updates and uses a log of a dialog between a user and the system (abstract; page 9, lines 5-20; wherein shaping the current interaction and the dialog include updating log of the dialog).

14. As to claim 9, it is rejected for the same reasons as claim 8 above..

15. As to claim 10, De Angelo teaches, wherein the applications and the interfaces are kept separated (FIG. 2B; wherein the “web application (Site 3)/containers” and “personal computer/containers/interfaces” are kept separated).

16. As to claim 11, De Angelo teaches the user's interface (col. 7, lines 45-50; “user interface”). SematicEdge, GmbH teaches the PSIC which interprets any action on the interface and the PSIC generates calls to the application (FIG. 5; page 7, lines 36-48). One would have been motivated to have wherein the user's interface is provided by the PSIC which interprets any action on the interface and the PSIC generates calls to the application, because it would increase the efficiency of the De Angelo's system by providing an information gathering phase, before a user can talk directly with a human call center operator, especially when all the lines are busy.

17. As to claim 12, it is rejected for the same reasons as claim 10 above.

18. As to claim 13, it is rejected for the same reasons as claim 11 above.

Response to Arguments

19. Applicant's arguments filed May 04, 2010 have been fully considered but they are not persuasive.

20. Regarding 101 rejection: Claim 5 recites "A device **for** user-system interaction independent of an application and of interaction media in hardware having ..." (emphasis added). Thus, contrary to applicant's assertion, "hardware" is not a part of the claimed device. Therefore, the claimed device still appears to be software per se which is non-statutory subject matter.

21. In the remarks section applicant argue in substance that :

(1) De Angelo "disclose a plurality of conatiners (whereas we claim a single conatiner)", as recited in applicants' claims.

(2) "De Angelo fails to suggest the claimed 4-tier architecture".

22. Examiner respectfully disagreed with applicant's remark.

As to point (1) In response to applicant's argument , see rejection in claim 1, De Angelo teaches in FIG. 2. 2B and 2B1; col. 10, lines 65-67; wherein the workstation/computer system (Site1) is coupled with a container/ single container; col. 17, line 10-12; "single container". Therefore these teachings of De Angelo suggest a single conatiner. Examiner has cited particular columns and line numbers and/or figures in the references as applied to the claims for the convenience of the applicant.

Applicant is reminded that rejections are based on references as a whole and not just the cited passages. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the cited art or disclosed by the examiner.

As to point (2) De Angelo teaches a client server network/ 4-tier architecture comprising of : a client, an internet web page/business interaction, a server site2 gateway/server, and container/database (FIG. 2B; col. 1, lines 10-20; col. 11, lines 1-5; col. 16, lines 65-67; wherein client server network of De Angelo's reference include the 4-tier architecture) . Therefore these teaching of De Angelo suggest the " 4-tier architecture ".

Examiner has cited particular columns and line numbers and/or figures in the references as applied to the claims for the convenience of the applicant. Applicant is reminded that rejections are based on references as a whole and not just the cited passages.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part

of the claimed invention, as well as the context of the passage as taught by the cited art or disclosed by the examiner.

Conclusion

23. **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdou Karim Seye whose telephone number is 571-270-1062. The examiner can normally be reached on Monday - Friday 8:30 - 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sough Hyung can be reached on (571)272-6799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hyung S. Sough/
Supervisory Patent Examiner, Art Unit 2194
July 15, 2010

/Abdou Karim Seye/
Examiner, Art Unit 2194